

Part 2

GOVERNMENT AND ADMINISTRATION

Constitution

Introduction

The present Constitution of Victoria derives from an Act passed by the Parliament at Westminster in 1855 and known in Victoria as The Constitution Act. That Act, together with *The Constitution Act Amendment Act 1958* (which consolidates the many constitutional provisions passed by the Victorian Parliament itself since 1855), provides the legal and constitutional background to a system of responsible Cabinet Government based on a legislature of two Houses, both elected upon adult suffrage. The Victorian Constitution has also been affected by the establishment of the Commonwealth Constitution by the *Commonwealth of Australia Constitution Act 1900*, by which legislative and executive powers upon certain specified matters were granted to the Commonwealth Parliament and Government, some of them exclusively, and provision was made that, in the case of inconsistency of valid laws, the Commonwealth law should prevail. In the result, the Parliament of Victoria may now make laws in and for Victoria upon all matters not exclusively granted to the Commonwealth by the Commonwealth Constitution; but upon some of these matters the Victorian law may be superseded by the passing of a Commonwealth Act. Local government, that is, the control exercised by municipal councils within their respective districts, is a matter of State law and wholly within the legislative control of the Victorian Parliament.

Governor

Under the Victorian Constitution, the ultimate Executive power is vested in the Crown and is exercised by the Governor as the Queen's representative.

The Governor's authority is derived from Letters Patent (issued in 1900 and amended in 1913) under the Great Seal of the United Kingdom, from the Commissions of Appointment and from the Governor's Instructions issued under the Royal Sign Manual and Signet.

As the Queen's representative, the Governor summons and prorogues Parliament and at the beginning of each session outlines the Government's legislative programme in his opening speech. In the name of the Queen he gives assent to Bills which have passed all stages in Parliament, with the exception of those especially reserved for the Royal Assent. These include Bills dealing with special subjects such as divorce, or the granting of land and money to himself. His functions in relation to the Legislature are contained in the Constitution Act and the Constitution Act Amendment Act.

As head of the Executive, his functions are based on the Letters Patent, his Commission and the Royal Instructions. These empower him to make all appointments to important State offices other than those under the Public Service Act, to make official proclamations and to exercise the prerogative of mercy by reprieving or pardoning criminal offenders within his jurisdiction. These functions are carried out on the advice of his Ministers.

There are some matters, however, which require the special exercise of the Governor's discretion. Thus he alone must finally decide after taking advice of his Premier, whether to grant a dissolution of Parliament, and whether to call upon a member of Parliament to form a new Ministry. The Governor's powers in respect of the commissioning of a member of Parliament as Premier to form a new Ministry are set out more fully below under the section describing the Cabinet.

The Governor also has power to appoint a Deputy to exercise his functions as the Queen's representative during his temporary absence from the seat of Government whether within or outside Victoria.

In the execution of the powers and authorities vested in him, the Governor shall be guided by the advice of the Executive Council, which is a body created under the Governor's Instructions and which in practice gives effect to Cabinet and ministerial decisions. If in any case he shall see sufficient cause to dissent from the opinion of the said Council, he may act in the exercise of his said powers and authorities in opposition to the opinion of the Council, reporting the matter to the Queen without delay, with the reasons for his so acting.

This exercise of discretionary powers emphasizes the Governor's position as one above and beyond party politics and in extreme cases provides a safeguard of the Constitution. The general nature of his position is such that he is the guardian of the Constitution and bound to see that the great powers with which he is entrusted are not used otherwise than in the public interest.

On all official State occasions he performs the ceremonial functions as the representative of the Crown, and so becomes the focal point and the unifying symbol of the community.

The present Governor is Major-General Sir Rohan Delacombe, K.C.M.G., K.B.E., C.B., D.S.O., K.St.J., who assumed office on 8th May, 1963.

A list of representatives of the Sovereign since the establishment of the Port Phillip District in 1839 is set out on pages 68 to 70 of the Victorian Year Book 1961.

Lieutenant-Governor

The Lieutenant-Governor is appointed to this office by a Commission from the Sovereign under the Sign Manual and Signet. In the Commission reference is made to the Letters Patent constituting the office of Governor, and the Lieutenant-Governor is expressly authorized and required by his Commission to administer the Government of the State of Victoria in the events dealt with in such Letters Patent, namely,

the death, incapacity, or removal of the Governor, or his departure from the State, or his assuming the administration of the Government of the Commonwealth of Australia.

The Lieutenant-Governor assumes control in any of these events by issuing a proclamation. He then becomes His Excellency the Lieutenant-Governor of Victoria.

However, should the Governor be only temporarily absent for a short period from the seat of Government or from the State (except when he administers the Government of the Commonwealth of Australia) he may, by an Instrument under the Public Seal of the State, appoint the Lieutenant-Governor as his Deputy.

The present Lieutenant-Governor is Lieutenant-General the Hon. Sir Edmund Francis Herring, K.C.M.G., K.B.E., D.S.O., M.C., E.D.

Executive Council

Section 15 of *The Constitution Act Amendment Act 1958* provides that officers appointed as responsible Ministers of the Crown shall also be members of the Executive Council, and provision for their appointment appears in the Letters Patent constituting the office of Governor.

The Executive Council, consisting of Executive Councillors under summons, namely, members of the current Ministry, usually meets weekly or as required. The quorum of three (3) comprises the Governor and at least two (2) Ministers. These meetings are of a formal nature and are presided over by the Governor or in his absence by his Deputy.

Where it is provided in the statutes that the Governor in Council may make proclamations, orders, regulations, appointments to public offices, &c., the Governor acts formally with the advice of the Executive Council, but actually in accordance with Cabinet or Ministerial decisions.

Cabinet

Formation and Composition of Cabinet

Victoria has followed the system of Cabinet Government evolved in Britain. The Queen's representative in Victoria, the Governor, acts by convention upon the advice of a Cabinet of Ministers, the leader of whom is called the Premier, although there is no mention of Cabinet as such in the Victorian Constitution.

The authority under which Victorian Ministers are appointed is contained in section 15 of *The Constitution Act Amendment Act 1958*, which provides that the Governor may, from time to time, appoint up to fifteen (15) officers who are either members or capable of being elected members of either House of Parliament. No Minister shall hold office for a longer period than three months unless he is or becomes a member of the Legislative Council or the Legislative Assembly. This section further provides that not more than five (5) of such officers shall at any one time be members of the Legislative Council and not more than eleven (11) members of the Legislative Assembly.

In practice, a Ministry remains in office only while it has the support of a majority in the Legislative Assembly, and when a change of Government occurs and a new Ministry is to be appointed, the Governor "sends for" that member of the Legislative Assembly who he thinks would be supported by a majority in that House and asks him whether he is able and willing to form a new Government with himself as leader. If that member can assure the Governor accordingly, he may then be commissioned by the Governor to form a Ministry.

The names of those persons who are chosen to serve in his Ministry are then submitted by the Premier-elect to the Governor for appointment by him as responsible Ministers of the Crown.

Powers of Cabinet

The Cabinet is responsible politically for the administrative acts of the Government, but the constitutional powers as set out in The Constitution Act and other Acts are vested in the individual Ministers and the Governor in Council, namely, the Governor with the advice of the Executive Council. Cabinet as such has no legal powers.

Government administration includes departments under direct ministerial control as well as certain public statutory corporations which are subject to varying degrees of ministerial direction. Ministers are sworn in with appropriate portfolios which indicate their particular responsibilities.

Functions and Methods of Procedure

Cabinet normally meets weekly or as occasion requires, in secret and apart from the Governor, to consider an agenda made up of matters submitted by the Premier and other Ministers. The Premier's Department prepares a draft agenda for each meeting; but the Premier himself is responsible for the final agenda and the order of items on the agenda.

There is in practice no Cabinet secretariat; but *The Constitution Act Amendment Act 1958* provides for the payment of a salary to any member of the Council or of the Assembly who is recognized as the Parliamentary Secretary of the Cabinet.

The recording of decisions is primarily the responsibility of the Parliamentary Secretary of the Cabinet. There is no special machinery for circulating Cabinet minutes. Where necessary, the Secretary to the Premier's Department issues the instructions; but, where a particular Minister is concerned, the Minister is normally responsible for the execution of Cabinet decisions.

In general, Cabinet decisions are given legal effect either by the appropriate Minister or by the Governor in Council.

Government

Ministries

Ministries, 1945 to 1965

The following is a list of the Premiers of the Governments from 1945 to 1965 :—

Ministry and Name of Premier	Date of Assumption of Office	Date of Retirement from Office	Duration of Office
Albert Arthur Dunstan ..	18th September, 1943	2nd October, 1945	746 days
Ian Macfarlan, K.C. ..	2nd October, 1945	21st November, 1945	51
John Cain ..	21st November, 1945	20th November, 1947	730
Thomas Tuke Hollway ..	20th November, 1947	3rd December, 1948	380
Thomas Tuke Hollway ..	3rd December, 1948	27th June, 1950 ..	572
John Gladstone Black McDonald	27th June, 1950 ..	28th October, 1952	855
Thomas Tuke Hollway ..	28th October, 1952	31st October, 1952..	4
John Gladstone Black McDonald	31st October, 1952..	17th December, 1952	48
John Cain ..	17th December, 1952	31st March, 1955 ..	835
John Cain ..	31st March, 1955 ..	7th June, 1955 ..	69
Henry Edward Bolte ..	7th June, 1955 ..	Still in Office	

A list of Government officers administering Victoria from 1851 to 1855 and of Premiers of the Governments from 1855 to 1955 is set out on pages 72 to 74 of the Victorian Year Book 1961.

Present Ministry

The last triennial elections for the Legislative Council and the last general election for the Legislative Assembly were held conjointly on 27th June, 1964.

At 31st July, 1965, the 62nd Ministry led by the Hon. H. E. Bolte consisted of the following members :—

From the Legislative Assembly:

The Hon. H. E. Bolte	Premier and Treasurer.
" " A. G. Rylah, C.M.G.,	..	Chief Secretary and Attorney-General.
" " E.D.	..	(
" " J. S. Bloomfield	..	Minister of Education.
" " G. O. Reid	Minister of Labour and Industry and Minister of Electrical Undertakings.
" " M. V. Porter	..	Minister of Public Works.
" " E. R. Meagher, M.B.E.,	..	Minister of Transport.
" " E.D.	..	(
" " J. C. M. Balfour	..	Minister of Lands, Minister of Soldier Settlement, and Minister for Conservation.
" " T. A. Darcy	..	Minister of Water Supply and Minister of Mines.
" " J. F. Rossiter	..	Assistant Minister of Education.
" " V. F. Wilcox	..	Minister of Immigration.

From the Legislative Council :

The Hon.	G. L. Chandler, C.M.G.	Minister of Agriculture.
„	„ L. H. S. Thompson ..	Minister of Housing and Minister of Forests.
„	„ R. W. Mack ..	Minister of Health.
„	„ R. J. Hamer, E.D. ..	Minister for Local Government.
„	„ V. O. Dickie ..	Minister of State Development.

Parliament**Introduction**

The Constitution Act, creating a Legislative Council and a Legislative Assembly, was assented to by Her Majesty in Council on the 21st July, 1855, and came into operation in Victoria on the 23rd November, 1855. Under this Act, Her Majesty was given power "by and with the advice and consent of the said Council and Assembly to make laws in and for Victoria in all cases whatsoever". Certain of these unlimited powers, however, are now exercised by the Legislature of the Commonwealth of Australia.

The Legislative Council has 34 members elected from two-member provinces for six year terms and the Legislative Assembly has 66 members elected from single electorates for three year terms. Both Houses are elected on adult suffrage, and their powers are normally co-ordinate, although Money Bills must originate in the Legislative Assembly.

The provisions of the Constitution dealing with the Parliament have been frequently amended, as The Constitution Act gives the Victorian Parliament power to "repeal, alter or vary" the Act itself, provided that the second and third readings of certain amending Bills are passed by an absolute majority of both Houses. The most frequently amended sections of the Constitution dealing with the Parliament have been those setting out the relations between Council and Assembly, and the qualifications of candidates and voters. The right, extended in the original Constitution Act, to assume the privileges, immunities, and powers of the House of Commons (as they stood at that time) was taken up in 1857 by the first Act passed by the Victorian Parliament. These include very wide powers to punish contempt. The publication of parliamentary reports and proceedings was made absolutely privileged in 1890.

The landmarks of Assembly suffrage were: 1857, manhood suffrage; 1899, plural voting abolished; and 1908, women's franchise. Adult suffrage for the Council was introduced in 1950. Payment of members has also been frequently adjusted. The present complex scale makes extra payments to the Leader of the third party as well as to the Leader of the Opposition; Opposition and third party Whips and

the Deputy Leader of the Opposition are also specially rewarded. Electorates are graded as "metropolitan", "urban", "inner country", and "outer country", and receive different rates.

Parliament is summoned, prorogued, or dissolved by proclamation issued by the Governor. The duration of a Parliament depends upon the life of the Assembly (limited to three years), but may be ended by the Governor dissolving the Assembly before the expiration of that period. The Legislative Council cannot be dissolved except in special circumstances arising from disagreements between the two Houses. Its members are elected for six years, half of them retiring every three years. Members are capable of re-election. A session is that period between the summoning of Parliament and prorogation. When Parliament is prorogued all business on hand lapses and, if it is to be continued in the next session, it must be reintroduced.

There are three political parties at present (July, 1965) represented in the Parliament of Victoria: the Liberal Party, the Labor Party, and the Country Party. Of the 34 members of the Legislative Council, eighteen belong to the Liberal Party, eight to the Labor Party and eight to the Country Party. Of the 66 members of the Legislative Assembly, 38 belong to the Liberal Party, eighteen to the Labor Party and ten to the Country Party. The Liberal Party, having won the majority of seats at the general election of the Assembly in 1955 formed a Government which was returned to office at the general elections in 1958, 1961, and 1964. The Leader of that Party holds the office of Premier. The Labor Party forms the official Opposition Party, whilst the Country Party sits on the corner benches of the Government side of the Assembly.

Functions of Parliament

The functions of Parliament consist of passing legislation and taking action to make available finances or funds as required for State expenditure. Legislation can be initiated by any member of Parliament in either House with the exception that all Money Bills, such as Bills for imposing a duty, rate, tax, or impost, or Bills for appropriating any part of the revenue of the State, must originate in the Assembly on the motion of a Minister. They may be rejected, but not altered, by the Council. The Council, however, may suggest amendments in such Bills, provided these amendments will not have the effect of increasing any proposed charge or burden on the people and the Assembly may accept the suggested amendments if it so desires. In practice, almost all Bills are introduced by the Government in office as a result of policy decisions taken in Cabinet.

Parliamentary Procedure

Parliament controls the Government in office by the Assembly's power, in the last resort, to pass a resolution of no-confidence in the Government or to reject a proposal which the Government considers so vital that it is made a matter of confidence. This would force

the Government to resign. Procedure of each House is governed by Standing Orders, Rules and practice, based mainly on the procedure of the House of Commons, and administered by the respective presiding officers : the President of the Legislative Council, the Speaker of the Legislative Assembly, and the respective Chairmen of Committees. The principal innovations in Assembly procedure are time limit of speeches and the elaborate ballot procedure at the opening of a new Parliament for the election of the Speaker.

The President of the Council holds office for the balance of the period for which he is elected as a member and may again be appointed if he retains his seat in the House. The election of a Speaker is the first business of a new Assembly after the members have taken the oath of allegiance. After this the Chairman of Committees is elected. The same order in debate is observed in Committee as in the House itself, the Chairman having final authority over all points of order arising when he is in the Chair.

The sittings of each House commence with the reading of the Lord's Prayer by the respective presiding officers. Before the business of the day, as set down on the Notice Paper, is called on, Ministers may be questioned on matters under their administrative control ; notices of motion, such as motions for the introduction of Bills, or motions of a substantive or abstract nature, are given ; petitions are presented ; papers are laid on the Table ; and messages from the Governor and from the other House are read. At this stage, members have the opportunity of moving a motion " that the House do now adjourn " which, under the Standing Orders, enables discussion on matters of urgent public importance.

Under " Orders of the Day " which now follows, Bills are dealt with in their various stages. All Bills, with the exception of the annual Appropriation Bill, when passed by both Houses are presented by the Clerk of the Parliaments to the Governor, who, acting on the advice of his " Council of Legislation ", gives the Royal Assent. This advice is set out at the commencement of each Bill and is as follows:—" Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria." The Appropriation Bill is presented by the Speaker to the Governor for assent. Unless otherwise provided, all Acts come into force on the day of assent.

Private Legislation, 1962

Money Bills 1963

Parliamentary Committees, 1964

Resolving Deadlocks Between the Two Houses, 1965

Parliamentary Privilege

Introduction

Parliamentary privilege may be described as the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions.

These privileges exceed those possessed by other bodies or individuals and “rest either upon the ancient law and custom of Parliament solely or upon that law and custom as defined by Statute”.

The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are “absolutely necessary for the execution of its powers”. They are enjoyed by individual Members because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its Members and the vindication of its own authority and dignity.

When any of these rights and immunities, both of the Members individually, and of the assembly in its collective capacity, which are known by the general name of privileges, are disregarded or attacked by any individual or authority, the offence is called a breach of privilege, and is punishable under the law of Parliament. Each House also claims the right to punish actions which, while not breaches of any specific privilege, are offences against its authority or dignity, such as disobedience to its legitimate commands or libels upon itself, its officers, or its Members. Such actions though often called “breaches of privilege” are more properly distinguished as “contempt of Parliament”.

Historical Development

Authority was given the Victorian Legislature to define the powers, privileges, and immunities of the Parliament and Members thereof by Section 35 of *The Constitution Act*, passed by the Imperial Parliament. It came into operation in 1855. Section 35 reads as follows :—

“It shall be lawful for the Legislature of Victoria by any Act or Acts to define the privileges immunities and powers to be held enjoyed and exercised by the Council and Assembly and by the members thereof respectively. Provided that no such privileges immunities or powers shall exceed those now held enjoyed and exercised by the Commons House of Parliament or the members thereof.”

The first Act passed by the Victorian Legislature (after the establishment of responsible government) was the *Privileges Act* 1857 which, as expressed in the long title, was an Act for defining the privileges, immunities, and powers of the Legislative Council and the Legislative Assembly respectively, these being defined as the same as, at the time of the passing of *The Constitution Act*, were held enjoyed and exercised by the Commons House of Parliament.

The provisions of the *Privileges Act* 1857 are re-enacted, with slight alteration as to form only, in Section 12 of *The Constitution Act Amendment Act* 1958.

Freedom of Speech

Perhaps the two most important privileges enjoyed by Members are freedom of speech and freedom from arrest or molestation.

Freedom of speech is a privilege essential to every free council or legislature. Its principle was well stated by the House of Commons at a conference upon the question in 1667, "No man can doubt" they said, "but whatever is once enacted is lawful, but nothing can come into an Act of Parliament, but it must first be affirmed or propounded by somebody: so that if the Act can wrong nobody, no more can the first propounding. The Members must be as free as the Houses; an Act of Parliament cannot disturb the State; therefore the debate that tends to it cannot; for it must be propounded and debated before it can be enacted." Thus, subject to Parliamentary rules of debate, a Member may state whatever he thinks fit in debate, however offensive it may be to the feelings, or injurious to the character, of individuals; and he is protected by his privilege from any action for libel, as well as from any other question or molestation.

The House of Commons always claimed exclusive jurisdiction over words spoken in their own House, but it was not until after the Revolution of 1688 that this privilege of freedom of speech received final statutory confirmation. By the 9th Article of the Bill of Rights it was declared—

"That the freedom of speech, and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place outside of Parliament."

The last occasion on which the privilege was directly impeached was in 1641, when a judgment was obtained in the Court of King's Bench against three members of the House of Commons for their conduct in Parliament.

Freedom from Arrest

Members have freedom from arrest during the time Parliament is in Session. This applies, however, only in civil process and not in criminal. The principal reasons have been expressed as follows:—

"As it is an essential part of the constitution of every court of judicature, and absolutely necessary for the due execution of its powers, that persons resorting to such courts, whether as judges or as parties, should be entitled to certain privileges to secure them from molestation during their attendance; it is more peculiarly essential to the Court of Parliament, the first and highest court in this kingdom, that the Members, who compose it, should not be prevented by trifling interruptions from their attendance on this important duty, but should, for a certain time, be excused from obeying any other call, not so immediately necessary for the great services of the nation: it has been therefore, upon these principles, always claimed and allowed, that the Members of both Houses should be, during their attendance in Parliament, exempted from several duties, and not considered as liable to some legal processes, to which other citizens, not intrusted with this most valuable franchise, are by law obliged to pay obedience." (Hatsell—*Precedents of Proceedings in the House of Commons*, Vol. 1, pp. 1-2.)

Because this parliamentary privilege is always associated with the service of the House, it is limited to a period comprised by the duration of the session, together with a convenient and reasonable time before and after the meeting of Parliament. This convenient and reasonable time has generally been taken to be forty days before and after a session of Parliament.

This privilege of freedom from arrest, on civil process, is also attached to all witnesses summoned to attend before either House of Parliament, or before parliamentary committees, and to others in personal attendance upon the business of Parliament, in coming, staying or returning; and to Officers of either House in immediate attendance upon the service of Parliament.

Contempt of Parliament

It would be futile to attempt an enumeration of every act which might be construed into a contempt of Parliament, the power to punish for contempt being in its nature discretionary. It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or Officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt. This would include any form of misconduct before Parliament or any of its committees; speeches or writings reflecting upon either House of Parliament or upon the Members; any attempt to bribe or intimidate a Member to influence him in his conduct, or molestation of Members or Officers on account of their conduct as such.

The privileges of Parliament would be entirely ineffectual to enable it to discharge its functions if it had no power to punish offenders, to impose disciplinary regulations upon its Members, or to enforce obedience to its commands. Such powers are essential to the authority of every legislature. The functions, privileges, and disciplinary powers of a legislative body are thus closely connected. The privileges are the necessary complement of the functions, and the disciplinary powers of the privileges.

Penalties

Punishment takes different forms. In minor cases the offender may be reprimanded or admonished by the Presiding Officer. In more serious cases, however, each House has the power of committal either to one of Her Majesty's gaols or the custody of the Usher of the Black Rod, or the Sergeant at Arms, as the case may be. It has been recognized, however, that Parliament has no power to impose a fine. Offenders are not committed for any specified time, but at pleasure, and are released either on motion to that effect in the House which has ordered the committal or at the termination of the Session by prorogation.

Article 9 of the Bill of Rights goes further than giving statutory recognition to the privilege of freedom of speech. It gives each House the right to be the sole judge of the lawfulness of its own proceedings, and the implied right to punish its own Members for their misconduct in Parliament.

Privilege and Procedures

The collective privilege of each House to decide what it will discuss and in what order was, in former times, frequently a subject of dispute between the Crown and the Commons. The Crown often asserted that the Commons intruded into matters of high policy beyond their competence, and the House insisted on its right to consider and obtain redress of "grievances" before granting supply. Another collective right of the House is to settle its own code of procedure. This is an obvious right; the House is not responsible to any external authority for the rules it lays down for its own procedure and it may also depart from those rules at its own discretion. This is equally the case whether a House is dealing with a matter which is finally decided by its sole authority, such as an order or resolution, or whether, like a Bill, it is the joint concern of both Houses. This holds good even where the procedure of a House on the right of its Members to take part in its proceedings is dependent on statute. For such purposes the House can "practically change or practically supersede the law".

The practice of the Commons regarding evidence sought for outside the walls of Parliament touching proceedings which have occurred therein also conforms to Article 9 of the Bill of Rights. This fact is well recognized by the courts, which have held that Members cannot be compelled to give evidence regarding proceedings in the House of Commons without the permission of the House. It has been held that it does not follow that a Member is bound to give such evidence even if he has the permission of the House, and it may even be that the Bill of Rights debars the courts from hearing evidence from a Member with or without the permission of the House, touching anything said or done in the House.

Parliament has always claimed the right to punish any Member who, by his conduct, might offend the House. At first this was one of the privileges claimed by the House of Commons but later became partly included in Standing Orders which prescribe a summary procedure for enforcing discipline. This right to punish its Members is not, however, entirely dependent upon the Standing Orders for its existence, it being still regarded fundamentally as a privilege.

A Member may, by direction of the House, be reprimanded or admonished by the Presiding Officer. If the offence is of a serious nature he may be suspended from the service of the House for a period, or even expelled, but expulsion, though it vacates the seat of a Member, and a new writ is issued, does not create any disability to serve again in Parliament, if he is re-elected.

Relationship to the Crown

In their prolonged struggle against outside interference with their debates and proceedings, particularly on the part of the Crown, the Commons ultimately established the principle that the Sovereign may not, even as a spectator, attend their debates.

As originally the weaker body, the Commons had a fierce and prolonged struggle for the assertion of their own privileges, not only against the Crown and the courts, but also against the Lords. What originated in the special protection of the King began to be claimed by the Commons as customary rights, and some of these claims

in the course of repeated efforts to assert them hardened into legally recognized "privileges".

The Commons having established their claim to privilege in the late fifteenth and sixteenth centuries, used it against the King in the seventeenth and against the people in the eighteenth century. Not until the nineteenth century was equilibrium reached and the limits of privilege prescribed and accepted by Parliament, the Crown, and the courts.

Members of the State Parliament

Political Parties

In the following pages political party affiliations of Members of the State Parliament are indicated thus :—

(A.L.P.) Australian Labor Party.

(C.P.) Country Party.

(L.P.) Liberal Party.

Legislative Council

The following list shows members of the Legislative Council elected at the last triennial election held on 27th June, 1964 :—

Member	Province	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Byrne, The Hon. Murray (L.P.)	Ballaarat ..	58,127	55,919	96·20
Byrnes, The Hon. Sir Percy (C.P.)	North-Western ..	47,206	45,206	95·76
Clarke, The Hon. Michael Alastair (C.P.)	Northern ..	55,775	53,301	95·56
Garrett, The Hon. William Raymond, A.F.C., A.E.A. (L.P.)	Southern ..	263,979	250,434	94·87
Grant, The Hon. Frederick James (L.P.)	Bendigo ..	60,773	57,959	95·37
Gross, The Hon. Kenneth Samuel (L.P.)	Western ..	57,644	55,371	96·06
Hamer, The Hon. Rupert James, E.D. (L.P.)	East Yarra ..	135,028	125,853	93·21
Hewson, The Hon. Henry Arthur (C.P.)	Gippsland ..	79,024	74,691	94·52
Mair, The Hon. William Phillip (L.P.)*	South-Eastern ..	136,509	128,412	94·07
Merrifield, The Hon. Samuel (A.L.P.)	Doutta Galla ..	102,595	96,419	93·98
Nicol, The Hon. Graham John (L.P.)	Monash ..	94,213	86,425	91·73
O'Connell, The Hon. Geoffrey John (A.L.P.)	Melbourne ..	40,806	37,495	91·89
Snider, The Hon. Baron David (L.P.)	Higinbotham ..	123,503	115,652	93·64
Swinburne, The Hon. Ivan Archie (C.P.)	North-Eastern ..	51,762	49,059	94·78
Thom, The Hon. Geoffrey Walter (L.P.)	South-Western ..	83,634	79,918	95·56
Todd, The Hon. Archibald (A.L.P.)	Melbourne West	96,466	90,831	94·16
Walton, The Hon. John Malcolm (A.L.P.)	Melbourne North	148,267	140,639	94·86

* Hon. W. P. Mair died on 30th August, 1964. At by-election held on 10th October, 1964, Hon. I. R. Cathie (A.L.P.) was elected in his stead.

Members of the Legislative Council who did not come up for election at the last triennial election on 27th June, 1964, are shown in the following table :—

Member	Province
Bradbury, The Hon. Archibald Keith (C.P.)	North-Eastern
Campbell, The Hon. William Montgomery (L.P.)	East Yarra
Chandler, The Hon. Gilbert Lawrence, C.M.G. (L.P.)	Southern
Dickie, The Hon. Vance Oakley (L.P.)	Ballaarat
Elliot, The Hon. Douglas George (A.L.P.)	Melbourne
Feltham, The Hon. Percy Victor, M.B.E. (C.P.)	Northern
Galbally, The Hon. John William (A.L.P.)	Melbourne North
Gawith, The Hon. Charles Sherwin (L.P.)	Monash
Grigg, The Hon. Thomas Henry (L.P.)	Bendigo
Hunt, The Hon. Alan John (L.P.)	South-Eastern
Knight, The Hon. Alexander Wilson (A.L.P.)	Melbourne West
McArthur, The Hon. Sir Gordon (L.P.)	South-Western
Mack, The Hon. Ronald William (L.P.)	Western
Mansell, The Hon. Arthur Robert (C.P.)	North-Western
May, The Hon. Robert William (C.P.)	Gippsland
Thompson, The Hon. Lindsay Hamilton Simpson (L.P.)	Higinbotham
Triповich, The Hon. John Matthew (A.L.P.)	Doutta Galla

President: The Hon. Sir Gordon McArthur.

Chairman of Committees : The Hon. William Raymond Garrett.

Clerk of the Legislative Council : Leslie Graham McDonald, Esquire.

Legislative Assembly

The following list shows members of the Legislative Assembly elected at the general election held on 27th June, 1964. It also includes details of electoral districts and voting at this last general election.

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Balfour, The Hon. James Charles Murray (L.P.)	Morwell ..	24,713	23,662	95·75
Birrell, Hayden Wilson, Esquire (L.P.)	Geelong ..	22,523	21,500	95·46
Bloomfield, The Hon. John Stoughton (L.P.)	Malvern ..	18,966	17,299	91·21
Bolte, The Hon. Henry Edward (L.P.)	Hampden ..	21,137	20,383	96·43
Borthwick, William Archibald, Esquire (L.P.)	Scoresby ..	36,199	34,141	94·31
Christie, Vernon, Esquire (L.P.)	Ivanhoe ..	23,700	22,302	94·10
Clarey, Reynold Arthur, Esquire (A.L.P.)	Melbourne ..	14,228	12,827	90·15
Cochrane, Leslie James, Esquire (C.P.)	Gippsland West ..	22,861	21,841	95·54
Crick, George Roy, Esquire (A.L.P.)	Grant	46,160	43,586	94·42
Darcy, The Hon. Thomas Anthony (L.P.)	Polwarth ..	26,603	25,566	96·10

MEMBERS OF THE LEGISLATIVE ASSEMBLY—*continued*

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Divers, William Thomas, Esquire (A.L.P.)	Footscray ..	20,055	18,944	94·46
Dixon, Brian James, Esquire (L.P.)	St. Kilda ..	18,561	17,046	91·84
Dunstan, Roberts Christian, Esquire, D.S.O. (L.P.)	Mornington ..	33,536	31,129	92·82
Evans, Alexander Thomas, Esquire (L.P.)	Ballaarat North..	22,914	22,155	96·69
Evans, Bruce James, Esquire (C.P.)	Gippsland East..	21,857	20,356	93·13
Fennessy, Leo Michael, Esquire (A.L.P.)	Brunswick East..	15,773	14,645	92·85
Floyd, William Laurence, Esquire (A.L.P.)	Williamstown ..	18,504	17,487	94·50
Fraser, The Hon. Alexander John, M.C. (L.P.)	Caulfield ..	21,310	19,773	92·79
Gainey, Richard John, Esquire, M.B.E. (L.P.)	Elsternwick ..	20,887	19,569	93·69
Gibbs, George Sampson, Esquire (L.P.)	Portland ..	23,338	22,352	95·78
Holden, Jack Bruce, Esquire (L.P.)	Moonee Ponds ..	19,976	18,755	93·89
Holding, Allan Clyde, Esquire (A.L.P.)	Richmond ..	16,168	15,022	92·91
Holland, Kevin Myles Stephen, Esquire (A.L.P.)	Flemington ..	18,402	17,332	94·19
Hudson, Philip Martin, Esquire (L.P.)	Toorak ..	18,921	17,021	89·96
Hyland, The Hon. Sir Herbert John Thornhill (C.P.)	Gippsland South	24,775	23,403	94·46
Jenkins, Dr. Henry Alfred (A.L.P.)	Reservoir ..	28,648	27,397	95·63
Jona, Walter, Esquire (L.P.)	Hawthorn ..	18,558	17,230	92·84
Lovegrove, Denis, Esquire (A.L.P.)	Fitzroy ..	16,093	14,854	92·30
Loxton, Samuel John Everett, Esquire (L.P.)	Prahran ..	18,283	16,874	92·29
McCabe, James Edmund, Esquire (L.P.)	Lowan ..	21,134	20,334	96·21
MacDonald, James David, Esquire (L.P.)	Burwood ..	21,599	20,363	94·28
McDonald, Russell Stanley Leslie, Esquire (C.P.)	Rodney ..	23,352	22,341	95·67
McDonald, The Hon. Sir William John Farquhar (L.P.)	Dundas ..	21,644	20,812	96·16
Manson, James Williamson, Esquire (L.P.)	Ringwood ..	40,985	39,018	95·20
Meagher, The Hon. Edward Raymond, M.B.E., E.D. (L.P.)	Mentone ..	28,065	26,397	94·06
Mitchell, The Hon. Thomas Walter (C.P.)	Benambra ..	23,895	22,593	94·55
Moss, The Hon. George Colin (C.P.)	Murray Valley ..	24,526	23,347	95·19
Mutton, Charles, Esquire (A.L.P.)	Coburg ..	20,970	19,890	94·85
Phelan, William, Esquire (C.P.)	Kara Kara ..	19,409	18,706	96·38
Porter, The Hon. Murray Victor (L.P.)	Sandringham ..	27,833	26,240	94·28

MEMBERS OF THE LEGISLATIVE ASSEMBLY—*continued*

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Rafferty, Joseph Anstice, Esquire (<i>L.P.</i>)	Ormond ..	25,534	24,151	94·58
Reid, The Hon. George Oswald (<i>L.P.</i>)	Box Hill ..	37,755	35,776	94·76
Reid, Leonard Stanley, Esquire, D.F.C. (<i>L.P.</i>)	Dandenong ..	45,070	42,626	94·58
Ring, Eugene Cornelius, Esquire (<i>A.L.P.</i>)	Preston ..	25,958	24,698	95·15
Rossiter, The Hon. John Frederick (<i>L.P.</i>)	Brighton ..	21,133	19,518	92·36
Rylah, The Hon. Arthur Gordon, C.M.G., E.D. (<i>L.P.</i>)	Kew	21,403	19,473	90·98
Scanlan, Alan Henry, Esquire (<i>L.P.</i>)	Oakleigh ..	23,331	22,265	95·43
Schintler, George Roy, Esquire (<i>A.L.P.</i>)	Yarraville ..	21,274	20,186	94·89
Stephen, William Francis, Esquire (<i>L.P.</i>)	Ballaarat South ..	21,887	20,882	95·41
Stirling, Harold Victor, Esquire (<i>C.P.</i>)	Swan Hill ..	20,109	19,225	95·60
Stokes, Russell Newton, Esquire (<i>L.P.</i>)	Evelyn ..	35,240	33,297	94·49
Stoneham, The Hon. Clive Phillip (<i>A.L.P.</i>)	Midlands	23,894	22,670	94·88
Suggett, Robert Harris, Esquire (<i>L.P.</i>)	Moorabbin ..	33,974	32,290	95·04
Sutton, Patrick Keith, Esquire (<i>A.L.P.</i>)	Albert Park ..	16,223	14,909	91·90
Tanner, Edgar Stephen, Esquire, C.B.E., E.D. (<i>L.P.</i>)	Ripponlea ..	19,723	17,890	90·71
Taylor, Alexander William, Esquire, E.D. (<i>L.P.</i>)	Balwyn ..	28,438	26,686	93·84
Trethewey, Robert Hugh, Esquire (<i>L.P.</i>)	Bendigo ..	22,157	21,175	95·57
Trewin, Thomas Campion, Esquire (<i>C.P.</i>)	Benalla ..	21,091	20,074	95·18
Treize, Neil Benjamin, Esquire (<i>A.L.P.</i>)	Geelong West ..	28,186	26,916	95·49
Turnbull, Campbell, Esquire (<i>A.L.P.</i>)	Brunswick West ..	18,482	17,533	94·87
Wheeler, Kenneth Henry, Esquire (<i>L.P.</i>)	Essendon ..	25,421	24,116	94·87
Whiting, Milton Stanley, Esquire (<i>C.P.</i>)	Mildura ..	20,973	19,985	95·29
Wilcox, The Hon. Vernon Francis (<i>L.P.</i>)	Camberwell ..	20,597	19,058	92·53
Wilkes, Frank Noel, Esquire (<i>A.L.P.</i>)	Northcote ..	19,465	18,423	94·65
Wilton, John Thomas, Esquire (<i>A.L.P.</i>)	Broadmeadows ..	52,865	50,435	95·40
Wiltshire, Raymond John, Esquire (<i>L.P.</i>)	Mulgrave ..	58,067	55,029	94·77

Speaker : The Hon. Sir William John Farquhar McDonald.

Chairman of Committees : Joseph Anstice Rafferty, Esquire.

Clerk of the Parliaments and Clerk of the Legislative Assembly : John Archibald Robertson, Esquire.

Number of Parliaments and Their Duration

During the period 1856 to 1964 there have been 43 Parliaments. The Forty-third Parliament was opened on 14th July, 1964. A table showing the duration in days of each Parliament (1856 to 1927), the number of days in session, and the percentage of the latter to the former was published in the Year Book for 1928-29, page 21. Similar information for the Twenty-ninth to the Thirty-ninth Parliaments (1927 to 1955) was published in the Year Book for 1952-53 and 1953-54, page 31. As from the commencement of the Thirty-eighth Parliament (20th June, 1950), information about the duration of each Parliament, the number of sittings of each House, and the percentage of the latter to the former is shown in the following table :—

VICTORIA—DURATION OF PARLIAMENTS AND NUMBER OF SITTINGS OF EACH HOUSE

Number of Parliament	Period	Duration of Parliament *	Sittings			
			Legislative Assembly		Legislative Council	
			Number of Sittings	Percentage of Sittings to Duration	Number of Sittings	Percentage of Sittings to Duration
		days				
Thirty-eighth ..	1950-52	865	131	15·1	81	9·4
Thirty-ninth ..	1952-55	852	92	10·8	61	7·2
Fortieth ..	1955-58	1,038	139	13·4	99	9·5
Forty-first ..	1958-61	1,059	150	14·2	103	9·7
Forty-second ..	1961-64	1,015	149	14·7	112	11·0

* Calculated from the date of opening to the date of dissolution of the Parliament.

Cost of Parliamentary Government

The following table reviews the expenditure arising from the operation of Parliamentary Government in Victoria. It comprises the State Governor, the Ministry, the Legislative Council, the Legislative Assembly, and electoral activities. It does not attempt to cover the expenditure on State administration generally.

The table shows this expenditure for the State for the years ended 30th June, 1961 to 1965. In order to avoid incorrect conclusions about the cost of the Governor's establishment, it is pointed out that a large part of the expenditure (with the exception of the item "Salary") under the general heading "Governor" represents official services.

Parliamentary salaries and allowances were amended as from 6th December, 1964. As from that date, the President of the Legislative Council and the Chairman of Committees, the Speaker of the Legislative Assembly and the Chairman of Committees, and Ministers of the Crown receive salaries and allowances only in connection with their offices.

VICTORIA—COST OF PARLIAMENTARY GOVERNMENT
(\$'000)

Year Ended 30th June—	Governor		Ministry	Parliament		Electoral	Royal Commissions, Select Committees, etc.	Total
	Salary	Other Expenses *		Salaries of Members	Other Expenses †			
1961 ..	15	122	‡83	560	549	119	50	1,497
1962 ..	15	152	71	562	589	296	56	1,740
1963 ..	15	169	‡92	566	614	90	103	1,648
1964 ..	18	166	92	559	678	232	92	1,837
1965 ..	18	176	84	696	689	230	103	1,995

* Includes salaries of staff and maintenance of house and gardens.

† Includes cost of members' railway passes, parliamentary staff and maintenance.

‡ Includes cost of oversea conferences in Ministry costs.

State Acts Passed during 1964

The following Acts were passed by State Parliament during the year ended 31st December, 1964 :—

No.		No.	
7107	Gaols (Visiting Justices) Act authorizes stipendiary magistrates to be visiting justices of every gaol	7113	Balmoral Geelong and Balwyn Lands Exchange Act provides for the exchange of certain lands
7108	Grain Elevators (Borrowing Powers) Act increases the borrowing powers of the Grain Elevators Board	7114	Transfer of Land (Service Agreements) Act amends the 1958 Act
7109	The Constitution Act Amendment (Conjoint Elections) Act provides for the holding of elections for the Legislative Council and the Legislative Assembly on the same day in 1964	7115	R.S.L. Widows and Widowed Mothers' Trust Patriotic Fund Act approves a deed of trust
7110	Opticians Registration (Fees and Penalties) Act authorizes the application of part of the annual fees of certified opticians toward the Victorian College of Optometry	7116	Home Finance (Reconstitution of Trust) Act reconstitutes the Home Finance Trust
7111	Railway Lands Act relates to certain lands of the Victorian Railways Commissioners	7117	Appeal Costs Fund Act makes provisions regarding liability for costs of certain litigation
7112	Revocation and Excision of Crown Reservations Act revokes the reservations and Crown grants of certain lands	7118	Maryborough Free Library and Literary Institute Act requires the transfer of land from the Trustees of the Maryborough Free Library and Literary Institute to the City of Maryborough
		7119	Wills (Formal Validity) Act relates to the formal validity of wills
		7120	Stamps (Exemptions) Act exempts certain bodies from payment of stamp duty

STATE ACTS PASSED DURING 1964—*continued*

No.		No.	
7121	The Evangelical Lutheran Church of Australia (Victorian District) Incorporation Act	7134	Estate Agents (Amendment) Act increases the number of members of the Estate Agents Committee from five to six and amends the provisions of the Estate Agents (Amendment) Act 1963 relating to the statement to be given to the purchaser on the sale of a small business
7122	Health (Child Minding) Act requires that child minding centres be registered	7135	Public Service (Amendment) Act makes amendments to the Public Service Act 1958, the Police Regulation Act 1958, the Teaching Service Act 1958, and the Mental Health Act 1959
7123	Wodonga Sewerage Authority (Acquisition of Land) Act validates the compulsory acquisition of certain lands by the Authority	7136	Sheep Owners Protection (Amendment) Act amends certain Acts with respect to the transport and sales of sheep, and control of skin buyers' licences
7124	Firearms (Interstate Transactions) Act amends the Firearms Act 1958 in relation to interstate sales and purchases of firearms	7137	Motor Car (Indorsement of Licences) Act enables persons with unindorsed licences to drive certain heavy vehicles
7125	Housing Advances and Loans (Improper Commissions) Act extends the provisions of the Building Societies Act 1958, Co-operative Housing Societies Act 1958, and the Estate Agents Act 1958 against the improper payment of commission fee or reward	7138	Racing (Interstate Totalizators) Act authorizes betting facilities in other States and Territories of the Commonwealth
7126	Process Servers and Inquiry Agents (Qualification) Act provides that licences are not to be granted to persons under eighteen years of age	7139	Police Offences (Animals) Act relates to the keeping of private zoos and makes provision for the destruction of dangerous or suffering animals
7127	Supreme Court (Qualification of Judges) Act amends section seven of the Supreme Court Act 1958 as to qualification for appointment	7140	Education (Adult Education) Act authorizes the Council of Adult Education to make arrangements for entertainments
7128	Monash University (Amendment) Act amends the Monash University Act 1958	7141	University (Faculties) Act authorizes the University of Melbourne to establish faculties in accordance with the statutes
7129	Athlone Mechanics' Institute Land Act relates to the surrender of certain land in the parish of Longwarry held in trust for the members of the Institute and the reservation of the land as a site for a public hall	7142	Statute Law Revision Act corrects errors in the Acts enumerated in the schedule
7130	Transfer of Land (Restrictive Covenants) Act amends law relating to restrictive covenants in both the Transfer of Land Act 1958 and the Property Law Act 1958	7143	Labour and Industry (Chemists' Shops) Act authorizes chemists' shops used for dispensing doctors' prescriptions to remain open between seven o'clock and ten o'clock in the evening
7131	Goods (Trading Stamps) Act makes it an offence to deal in trading stamps	7144	Teaching Service (Amendment) Act extends the power of the Teachers' Tribunal regarding the probationary period and promotion of teachers
7132	Health (Amendment) Act makes various amendments to the Health Act 1958	7145	Litter Act makes it an offence to deposit litter in a public place or on any land
7133	Consolidated Revenue Act		

STATE ACTS PASSED DURING 1964—continued

No.		No.	
7146	Acts Interpretation (Commencement) Act makes provision regarding the date of operation of Acts	7159	General Sessions (Pensions of Chairmen) Act provides for the payment of pensions to chairmen of general sessions
7147	Adoption of Children Act re-enacts with additions and amendments the law relating to the adoption of children	7160	Grain Elevators (Borrowing) Act increases the borrowing powers of the Grain Elevators Board
7148	National Parks Act reserves a site for a national park in Port Campbell, appoints trustees for the Loch Ard Public Cemetery, and permits the erection of a memorial cairn in Wilson's Promontory National Park	7161	Local Authorities Superannuation (Amendment) Act provides for the payment to legal personal representatives where the amount does not exceed six hundred pounds
7149	The Constitution Act Amendment (Responsible Ministers) Act increases the number of responsible Ministers of the Crown	7162	Children's Court (Amendment) Act makes minor amendments to the Children's Court Act 1958
7150	Consolidated Revenue Act	7163	Justices (Complaints and Summonses) Act amends the Justices Act 1958, regarding informations and complaints, and the service of certain summonses by post
7151	Land (Special Grant) Act grants certain land to the After Care Hospital	7164	Fisheries and Game (Reduced Licence Fees) Act reduces fees for licences in some cases
7152	State Insurance Funds Act makes provisions regarding interest earned on reserves by certain offices	7165	Agricultural Colleges Act amends the 1958 Act and validates certain regulations
7153	Local Government (Councillors' Declarations) Act extends the period within which certain councillors may make declarations under section fifty-four of the Local Government Act 1958	7166	Motor Car (Amendment) Act requires a person to be over eighteen years before registering a motor car and over seventeen years nine months before registering a motor cycle
7154	Metropolitan Fire Brigades (Long Service Leave) Act entitles employees to four and a half months long service leave after fifteen years' service	7167	Consolidated Revenue Act
7155	Mildura (Rating on Unimproved Values) Act validates the rating of unimproved values	7168	Administration and Probate (Small Estates) Act authorizes assistance to applicants for probate or administration where the estate of the deceased is not greater than two thousand five hundred pounds
7156	Country Fire Authority (Borrowing Powers) Act authorizes the Authority to obtain advances by overdraft	7169	Game (Black Swans) Act authorizes the issue of licences to take or kill black swans
7157	South Melbourne (Unimproved Rating Poll) Act postpones the date for taking the poll of ratepayers on a proposal to adopt rating on unimproved values	7170	Latrobe Valley (Amendment) Act amends the 1958 Act as to the making and operation of by-laws in the Latrobe Valley and extends the functions of the Board
7158	Closer Settlement (Regulations) Act empowers the Governor in Council to make regulations regarding the fees for Crown grants, leases, certificates, and registrations	7171	Local Government (St. Kilda and Elwood Land Reclamation) Act validates expenditure by the City of St. Kilda for land reclamation and improvement
		7172	State Forests Loan Application Act sanctions loans for works relating to State forests

STATE ACTS PASSED DURING 1964—continued

No.		No.	
7173	Portland Harbor Trust (Borrowing Powers) Act increases the borrowing powers of the Trust	7188	Pesticides Act changes the name of the Fungicides Act 1958 to the Pesticides Act 1964 and makes various amendments to this Act concerning pesticides
7174	Sewerage Districts Act makes various amendments to the 1958 Act	7189	La Trobe University Act establishes and incorporates the La Trobe University
7175	Consolidated Revenue Act	7190	National Parks (Amendment) Act amends the 1958 Act by authorizing the grant of a tenancy or permit to manage and occupy any facility in a park
7176	Municipal Association (Accident Insurance) Act permits the Association to insure any councillor against accidents arising out of or in the performance of his duties	7191	Motor Car (Carriers' Identification Marks) Act defines the word "manufacturer" in section sixteen of the 1958 Act
7177	Railways (Long Service Leave) Act decreases the period of service required for entitlement to long service leave and the period of this leave	7192	Swine Compensation Act provides compensation payable for a pig that is destroyed because it is suffering from a disease is to be market value or £25 whatever the less
7178	Country Roads (Amendment) Act amends the 1958 Act with respect to determination of conditions of service, construction and maintenance of roads, and purchasing of land	7193	Stamps (Motor Car) Act imposes stamp duty on certain registrations and notices concerning acquisition of motor cars
7179	Revocation and Excision of Crown Reservations Act revokes the reservations of land more urgently needed for other purposes	7194	Land Tax (Rates and Exemptions) Act fixes land tax rates for 1965 and makes provisions for certain exemptions
7180	Railway Loan Application Act sanctions the use of loan money	7195	Estate Agents Act amends the law relating to the issue of licences and sole agency agreements and the giving of a statement to purchasers of small businesses
7181	Disposal of Uncollected Goods (Damaged Motor Cars) Act amends the Disposal of Uncollected Goods Act 1961	7196	Tattersall Consultations (Jackpot Consultations) Act fixes the minimum proportion of subscriptions to be paid out as prize money and limits jackpot prizes
7182	Trustees Companies (Affidavits) Act extends the number of officers of a trustee company whose affidavit may be acceptable by a court in applications for probate or letters of administration	7197	Labour and Industry (Fees) Act fixes a new scale of annual fees for registration of factory or shop, and repeals the Tobacco Sellers Act 1958
7183	Maintenance (Reciprocating State) Act provides for the reciprocity of maintenance orders between New Guinea and Papua on the one hand, and Victoria on the other	7198	Water Act makes numerous amendments to the 1958 Act
7184	Crimes (Amendment) Act makes various amendments to the 1958 Act	7199	Superannuation (Time for Election) Act extends the election period under the 1963 Act to 31st December, 1964
7185	Motor Car (Fines and Drivers' Licence Fees) Act relates to fees for drivers' licences and the disposal of fines paid under the Motor Car Act 1958	7200	Police Offences (Betting Information) Act amends the 1958 Act with respect to publication of betting information
7186	Public Works Loan Application Act	7201	Marine (Amendment) Act makes various amendments to the 1958 Act
7187	Juries (Women Jurors) Act makes women liable for jury service but enables any woman to cancel her liability		

STATE ACTS PASSED DURING 1964—continued

No.		No.	
7202	Labour and Industry (Long Service Leave) Act alters conditions for long service leave entitlement	7217	Monash University (Amendment) Act relates to the appointment and duties of the Vice Chancellor and deals with University finances
7203	Acquisition of Materials Act requires notice in writing by certain instrumentalities of their intention to acquire materials for works	7218	Water Supply Loan Applications Act
7204	Stamps Act amends, with respect to stamp duty, the Stamps Act 1958 and the Probate Duty Act 1962	7219	Education (School Committees) Act amends the 1958 Act empowering the Minister to excuse from certain requirements a school committee, and authorizes municipal councils and public statutory corporations to enter contracts with school committees
7205	Forests (Amendment) Act makes several amendments to the 1958 Act	7220	Cancer (Amendment) Act amends the 1958 Act
7206	Boilers Inspection (Amendment) Act amends the 1958 Act	7221	Cadet Surveyors Act provides cadetships for University courses in surveying
7207	State Electricity Commission (Contributions) Act amends 1958 Act with respect to transfers of funds to and from the Consolidated Revenue	7222	Marine Stores and Old Metals (Welfare and Community Organizations) Act exempts members of certain youth organizations from the provisions of the 1958 Act
7208	Theatres (Sunday Films) Act permits the showing of films on Sunday after 8.30 p.m.	7223	Tomato Processing Industry (Uniform Agreement) Act makes provisions to improve stability in the tomato processing industry
7209	Housing (Amendment) Act amends the 1958 Act with respect to the letting and selling of Housing Commission homes, and validates certain Acts of the Commission	7224	Melbourne Sailors' Home Act gives certain powers to the trustees of the land on which the Home is erected
7210	Social Welfare (Trainees) Act amends certain regulations regarding detention of trainees	7225	Co-operative Housing Societies (Indemnities) Act increases the amount to which the Treasurer may indemnify societies against loss in respect of certain advances
7211	Health (Offensive Trades) Act requires the scouring of greasy wool by means of petroleum solvents	7226	Legal Profession Practice (Amendment) Act makes substantial amendments to the 1958 Act
7212	Medical (Amendment) Act makes several amendments to the 1958 Act concerning the Pharmacy Board	7227	Parliamentary Salaries, Pensions and Superannuation Act increases the salary, allowances, and superannuation benefits of members of Parliament
7213	Stock Foods (Amendment) Act makes several amendments to the 1958 Act	7228	Public Land and Works Act dissolves the Board of Land and Works and amends many Acts
7214	Railways (Funds) Act amends the 1958 Act with respect to charges for interest on sinking fund payments and exchange on railway loans	7229	Appropriation of Revenue Act grants supply to the Government for 1964-65
7215	Licensing (Dining Permits) Act authorizes the sale of liquor with meals supplied at the Exhibition Buildings during the Third Australian Industries Fair	7230	Racing (Amendment) Act makes several amendments to the 1958 Act
7216	Water (Recreational Areas) Act amends, with respect to recreational areas, the 1958 Act	7231	Friendly Societies (Assignment of Contracts) Act

STATE ACTS PASSED DURING 1964—continued

No.		No.	
7232	The Decentralization Advisory Committee Act establishes the Decentralization Advisory Committee	7235	Valuation of Land (Valuations) Act amends the Valuation of Land Act 1960 and the Local Government Act 1958 with respect to land valuations
7233	Mines (Exploration Licences) Act provides for the issue of gold or mineral exploration licences	7236	Shell (Corio to Williamstown) Pipelines Act authorizes the construction and operation of a petroleum pipeline at Corio
7234	Motor Car (Hours of Driving) Act restricts the hours of driving of vehicles with an unladen weight of more than two tons for hire or reward or in the course of trade or business	7237	Consumers Protection Act constitutes a Consumers Protection Council

*Electoral System***Introduction***Electoral Basis of the Two Houses*

When first constituted, the Legislative Council or Upper House was composed of 30 members, aged 30 years and over, and possessed of freehold of the annual value of £500. Property qualifications were abolished by the *Legislative Council Reform Act* 1950, and, today, the main qualification of members and electors of the Legislative Council is the attainment of the age of 21 years. A similar provision applies to the Legislative Assembly.

Victoria is divided, for Legislative Council purposes, into seventeen Provinces, each represented by two members, elected for six years—one in each Province retiring every three years by rotation—except at a general election following on the dissolution of the Council, when one-half of the members are to be elected for only three years. (See Fig. 8.)

For Legislative Assembly purposes, the State is divided into 66 Electoral Districts, each returning one member. Members are elected for three years, unless Parliament is dissolved before this period.

Redistributions of Electoral Districts for the Legislative Assembly

Under the *Electoral Districts Act* 1953, provision was made for a redivision of the State to be carried out on the basis of each of the 33 Commonwealth Electoral Divisions in Victoria being divided into two Electoral Districts for the Assembly. The first general election conducted on the basis of electorates so created took place on the 28th May, 1955. The *Electoral Districts Act* 1953 (subsequently incorporated into *The Constitution Act Amendment Act* 1958) also provided for recurrent redivisions on the same basis to be made whenever

VICTORIA
LEGISLATIVE COUNCIL

STATE ELECTORAL PROVINCES

- | | |
|--------------------|------------------|
| A. Melbourne | J. South-Western |
| B. Melbourne West | K. Ballaarat |
| C. Dousta Galla | L. Bendigo |
| D. Melbourne North | M. North-Eastern |
| E. East Yarra | N. Gippsland |
| F. Monash | O. Western |
| G. Higinbotham | P. North-Western |
| H. South-Eastern | Q. Northern |
| I. Southern | |

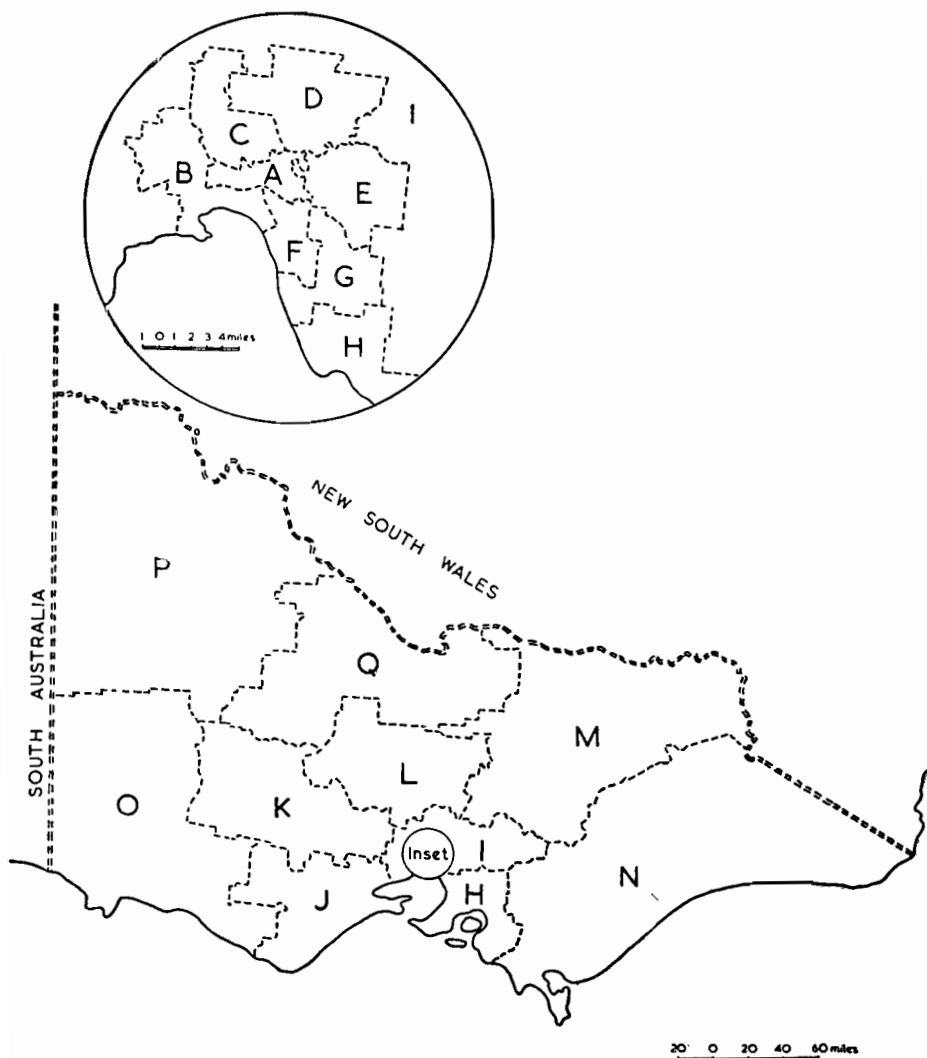


FIGURE 8.—Map of Victoria and inset of Melbourne Metropolitan Area showing State electoral provinces.

VICTORIA

LEGISLATIVE ASSEMBLY

STATE ELECTORAL DISTRICTS

- | | | |
|-------------------|------------------|---------------------|
| 1. Brunswick East | 23. Balwyn | 45. Geelong |
| 2. Fitzroy | 24. Kew | 46. Geelong West |
| 3. Melbourne | 25. Camberwell | 47. Ballarat South |
| 4. Flemington | 26. Burwood | 48. Ballarat North |
| 5. Brunswick West | 27. Malvern | 49. Midlands |
| 6. Coburg | 28. Caulfield | 50. Bendigo |
| 7. Northcote | 29. Oakleigh | 51. Benalla |
| 8. Ivanhoe | 30. Ormond | 52. Benambra |
| 9. Richmond | 31. Elsternwick | 53. Gippsland East |
| 10. Hawthorn | 32. Brighton | 54. Gippsland South |
| 11. Toorak | 33. Moorabbin | 55. Morwell |
| 12. Prahran | 34. Sandringham | 56. Gippsland West |
| 13. St. Kilda | 35. Grant | 57. Polwarth |
| 14. Ripponlea | 36. Broadmeadows | 58. Hampden |
| 15. Albert Park | 37. Evelyn | 59. Portland |
| 16. Williamstown | 38. Box Hill | 60. Dundas |
| 17. Yarraville | 39. Ringwood | 61. Lowan |
| 18. Footscray | 40. Scoresby | 62. Kara Kara |
| 19. Moonee Ponds | 41. Mulgrave | 63. Mildura |
| 20. Essendon | 42. Dandenong | 64. Swan Hill |
| 21. Reservoir | 43. Mentone | 65. Rodney |
| 22. Preston | 44. Mornington | 66. Murray Valley |

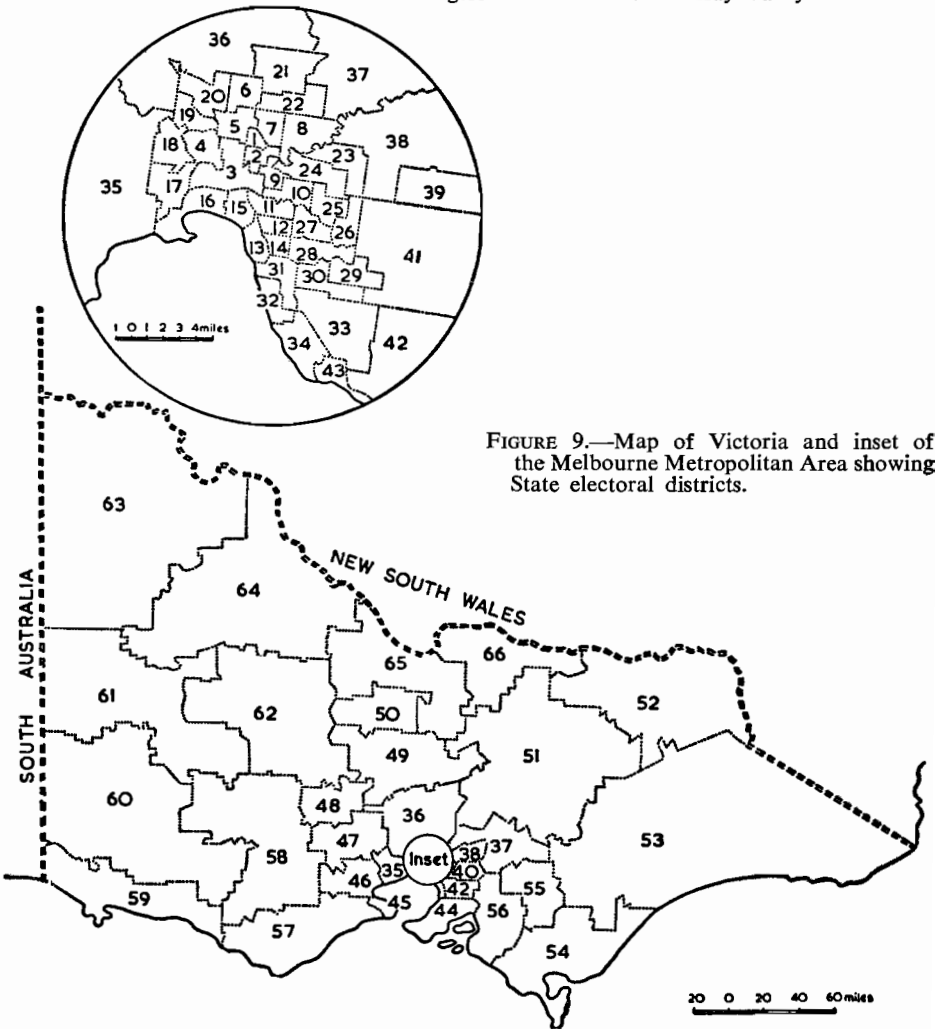


FIGURE 9.—Map of Victoria and inset of the Melbourne Metropolitan Area showing State electoral districts.

Voting Features at State Elections

There is no plural voting at elections for either the Legislative Council or the Legislative Assembly. Provision for voting by post by electors who are ill or temporarily absent from their electorates and are within any part of Australia, or in Great Britain, or New Zealand, is made at elections for both Houses, and there is also a system of "absent" voting whereby any elector, who is not able to record a vote within his own subdivision, is enabled to record a vote at any polling booth open in Victoria on the day of the poll. In addition, a method of so-called "unenrolled voting" has been instituted, under which an elector whose name has been omitted from the official electoral rolls in error is enabled to record a vote upon making a prescribed declaration.

Voting at elections for both Houses is compulsory and is conducted under an adaptation of Ware's system of preferential voting.

This system of preferential voting at Victorian parliamentary elections was provided for by statute in 1911 for Legislative Assembly elections, in 1921 for Legislative Council triennial elections, and in 1936 for Legislative Council general elections following directly upon a dissolution of the Council in consequence of disagreements or deadlock between the two Houses. Under this system a voter is required to number the candidates in order of preference on the ballot-paper, the figure "1" being written opposite the name of the candidate whom the elector wishes to be returned, and sequential figures (2, 3, 4, &c.) indicating his relative degree of preference being written opposite the names of the other candidates. Where an elector has so indicated his order of preference for all candidates except one, he is deemed to have given his last contingent vote or preference to such candidate.

Where only two candidates are involved, the candidate who receives an absolute majority (i.e., half the number of formal votes cast plus one) is declared elected. Similarly, where there are more than two candidates, if one of them receives an absolute majority on the count of first preferences, then he is declared elected.

Where no absolute majority is attained by a candidate at the count of first preference votes, the candidate who has received the fewest first preference votes is declared defeated, and his ballot-papers examined and his second preferences allotted to the candidates to whom they relate. The process of excluding the candidate with the lowest number of votes and distributing his ballot-papers according to the preferences shown on them to the unexcluded or continuing candidates is followed until one candidate attains an absolute majority.

At a general election for the Legislative Council when two members are required to be elected for each Province, the election of the first member is carried out as above. In the case of the election of the second member, however, a slight variation of procedure is necessary. The first step is to take the ballot-papers of the *first elected* candidate and allot the second preferences on them to the candidates to whom they relate. The remaining candidates begin the counting process with their own first preferences plus the second preferences allotted in the distribution of the elected candidate's ballot-papers. If one of the

remaining candidates has an absolute majority, he is declared elected to the second vacancy. If, however, no such candidate has an absolute majority, the candidate with the fewest votes is declared defeated and the ballot papers counted to him are then distributed according to the preferences shown thereon among the various continuing or unexcluded candidates.

The process of excluding the lowest candidate and distributing his ballot-papers according to the preferences on them to unexcluded or continuing candidates is followed until one candidate attains an absolute majority.

At a general election for the Legislative Council, the candidate first elected is entitled to hold the seat for six years, and the candidate next elected holds his seat for three years.

Parliamentary Elections

Legislative Assembly

At the Legislative Assembly election held on the 27th June, 1964, there were contests in all of the 66 Electoral Districts and in all of them there were more than two candidates engaged.

In 40 of these contests the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other 26 contests, the leading candidate, on the first count, was elected in 19 instances but was defeated in the remaining seven instances.

The following table shows the voting in general elections held for the Legislative Assembly since 1952 :—

VICTORIA—VOTING AT GENERAL ELECTIONS FOR THE LEGISLATIVE ASSEMBLY

Year of Election	Whole State		Contested Electorates			
	Electors Enrolled	Electors Enrolled	Votes Recorded		Informal Votes	
			Number	Percentage of Voters	Number	Percentage of Total Votes Recorded
1952 ..	1,402,705	1,119,486	1,047,671	93·59	18,991	1·81
1955 ..	1,422,588	1,402,806	1,318,937	94·02	28,934	2·19
1958 ..	1,478,065	1,478,065	1,392,813	94·23	24,760	1·78
1961 ..	1,554,856	1,554,856	1,467,862	94·41	35,937	2·45
1964 ..	1,635,311	1,635,311	1,543,778	94·40	35,631	2·31

NOTE : Detailed statistics are available in publications issued by the Chief Electoral Officer for Victoria.

The following table shows certain particulars of the representation in the Legislative Assembly in which general elections have been held since 1952 :—

VICTORIA—PARLIAMENTARY REPRESENTATION

Year of Election	Number of Members of Legislative Assembly	Population per Member	Proportion of Persons Enrolled to Total Population	Number of Electors Enrolled on Date of Election	Average Number of Electors per Member
			per cent.		
1952 ..	65	36,300	59·4	1,402,705	21,580
1955 ..	66	38,100	56·6	1,422,588	21,554
1958 ..	66	41,300	54·2	1,478,065	22,395
1961 ..	66	44,398	53·1	1,554,856	23,558
1964 ..	66	47,175	52·5	1,635,311	24,777

Proportion of Voters at Elections

The first general election for the Legislative Assembly was held in 1856. The proportion of voters to electors of contested districts at each of the general elections held since that year for the Legislative Assembly is found on page 86 of the Victorian Year Book 1961.

Legislative Council

The Legislative Council consists of 34 members representing seventeen Provinces. Voting in elections held for the Legislative Council since 1952 is shown in the next table. At the triennial election of 27th June, 1964, there were contests in all Provinces and in all of them there were more than two candidates engaged.

In ten of these the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other seven contests, the leading candidate, on the first count, was elected in six instances but was defeated in the remaining one.

The following table shows particulars of elections for the Legislative Council :—

VICTORIA—VOTING AT ELECTIONS FOR THE LEGISLATIVE COUNCIL

Year of Election	Whole State Electors Enrolled	Contested Province				
		Electors Enrolled	Votes Recorded		Informal Votes	
			Number	Percentage of Voters	Number	Percentage of Total Votes Recorded
1952 ..	1,395,650	1,078,959	994,190	92·14	22,595	2·27
1955 ..	1,430,130	1,216,010	1,112,951	91·52	23,189	2·08
1958 ..	1,488,293	1,387,097	1,283,665	92·54	22,085	1·72
1961 ..	1,554,856	1,554,856	1,467,482	94·38	46,697	3·18
1964 ..	1,635,311	1,635,311	1,543,584	94·39	45,627	2·96

Parliamentary By-election

The following are details of a by-election held between 30th June, 1964, and 30th June, 1965 :—

Legislative Council—

10th October, 1964, Mr. Ian Robert Cathie elected for South-Eastern Province.

Further References

CHIEF ELECTORAL OFFICER FOR VICTORIA—*Various Publications Giving Detailed Statistics of State Elections.*

DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF MELBOURNE—*The Government of Victoria (1958)*

Victorian Members of the Federal Parliament

Political party affiliations of Victorian Members of the Federal Parliament are indicated thus :—

- (A.L.P.) Australian Labor Party.
- (C.P.) Country Party.
- (D.L.P.) Democratic Labor Party.
- (L.P.) Liberal Party.

The following are the Senators elected for Victoria sitting in the Senate as at 1st July, 1965 :—

Breen, Marie Freda, O.B.E. (L.P.)	Kennelly, the Hon. Patrick John (A.L.P.)
Cohen, Samuel Herbert, Q.C. (A.L.P.)	McManus, Francis Patrick (D.L.P.)
Cormack, Magnus Cameron (L.P.)	Sandford, Charles Walter (A.L.P.)
Gorton, The Hon. John Grey (L.P.)	*Webster, James Joseph (C.P.)
Hendrickson, Albion (A.L.P.)	Wedgwood, Ivy Evelyn (L.P.)

* Filling casual vacancy. Death of Wade, The Hon. Harrie Walter, reported 16th March, 1965.

The Victorian Members in the House of Representatives and the electorates they represent as at 1st July, 1965, are shown below :—

Member	Constituency†
Beaton, Noel Lawrence (A.L.P.)	Bendigo
Benson, Samuel James, R.D. (A.L.P.)	Batman
Bryant, Gordon Munro (A.L.P.)	Wills
Buchanan, Alexander Andrew (L.P.)	McMillan
Cairns, James Ford (A.L.P.)	Yarra
Calwell, The Hon. Arthur Augustus (A.L.P.)	Melbourne
Chipp, Donald Leslie (L.P.)	Higinbotham
Courtney, Frank (A.L.P.)	Darebin
Crean, Frank (A.L.P.)	Melbourne Ports
Davis, Francis John (L.P.)	Deakin
Erwin, George Dudley (L.P.)	Ballaarat
Fox, Edmund Maxwell Cameron (L.P.)	Henty
Fraser, John Malcolm (L.P.)	Wannon
Haworth, The Hon. William Crawford (L.P.)	Isaacs
Holt, The Rt. Hon. Harold Edward (L.P.)	Higgins
Holtzen, Rendle McNeilage (C.P.)	Indi
Howson, The Hon. Peter (L.P.)	Fawkner
Jess, John David (L.P.)	La Trobe
Kent Hughes, The Hon. Sir Wilfrid Selwyn, K.B.E., M.V.O., M.C., E.D. (L.P.)	Chisholm
King, Robert Shannon (C.P.)	Wimmera
Lindsay, Robert William Ludovic (L.P.)	Flinders
Mackinnon, Ewen Daniel (L.P.)	Corangamite
McEwen, The Rt. Hon. John (C.P.)	Murray
McIvor, Hector James (A.L.P.)	Gellibrand
Menzies, The Rt. Hon. Sir Robert Gordon, K.T., C.H., Q.C. (L.P.)	Kooyong
Nixon, Peter James (C.P.)	Gippsland
Opperman, The Hon. Hubert Ferdinand, O.B.E. (L.P.)	Corio
Peters, Edward William (A.L.P.)	Scullin
Pollard, The Hon. Reginald Thomas (A.L.P.)	Lalor
Snedden, The Hon. Billy Mackie, Q.C. (L.P.)	Bruce
Stokes, Philip William Clifford, E.D. (L.P.)	Maribyrnong
Turnbull, Winton George (C.P.)	Mallee
Whittorn, Raymond Harold (L.P.)	Balaclava

† The population as disclosed by the Census taken on 30th June, 1961 necessitated further representational changes, Victorian representation becoming 34. The necessary redistribution of boundaries to bring these into effect has not yet been approved by the Commonwealth Parliament.

Government Administration

The larger government administrative agencies in Victoria consist of a number of State Departments and Public Corporations.

STATE DEPARTMENTS

Agriculture	Law
Chief Secretary's	Local Government
Crown Lands and Survey	Mines
Education	Premier's
Health	Public Works
Labour and Industry	Treasury

From 1st July, 1965, two branches were transferred from the Chief Secretary's Department—Explosives and Gas Examining to the Mines Department, and Weights and Measures to the Local Government Department.

PUBLIC CORPORATIONS

Country Roads Board
 Forests Commission
 Gas and Fuel Corporation
 Hospitals and Charities Commission
 Housing Commission
 Melbourne and Metropolitan Board of Works
 Melbourne and Metropolitan Tramways Board
 Railways Commissioners
 State Electricity Commission
 State Rivers and Water Supply Commission

Departmental Functions, 1963

Government Instrumentalities, 1965

History of State Government Departments

The first of a series of short, comprehensive histories of the State Government Departments appeared on pages 100 to 104 of the 1963 Victorian Year Book and described the development of the Chief Secretary's Department. An article on the Premier's Department was published in the 1964 Victorian Year Book, pages 81 to 84, and a history of the Crown Law Department in the 1965 Victorian Year Book, pages 100 to 104. A history of the Treasury is outlined in the following article.

The Treasury

The department of the Treasury comprises the Treasury (Central Administration), which is the State's central financial authority, and a number of branches such as the Taxation Office, the Stamp Duties Office, the Government Printing Office, the Tender Board, the Superannuation Board and Pensions Office, and the Registrar of Co-operative Housing Societies and Co-operative Societies. The Housing Commission, a statutory Body, is also placed within the Department for administrative purposes.

The role of the Treasury is to assist the Treasurer in the management and control of the financial affairs of the State. This covers the two main fields of the raising of the necessary revenue by means of taxation, fees, charges, etc., and the consideration and control of expenditure programmes. This work of the Treasury is reflected principally in the preparation and presentation of the Budget to Parliament in each financial year. The Treasury is also responsible for the administration of financial legislation, for the banking arrangements of the various departments, and for the planning and administration of the State's works programmes in financial terms.

Treasury activity goes back to the founding of Port Phillip in 1836, when Sir Richard Bourke proposed that the whole expense of the Establishment should be defrayed from the revenue of Crown Lands. Captain Lonsdale, the newly appointed Superintendent, was instructed to render an account of income and expenditure of the settlement to the Colonial Secretary in Sydney. In 1839 an office of sub-Treasurer was created and its duties assumed by the sub-Collector of Customs (Mr. R. S. Webb). Lonsdale assumed the office the following year and by 1846 the sub-Treasury had a building of its own and a small staff, but Sydney still received details of the finances of Port Phillip.

This phase ended when the 1850 Act for the better government of Her Majesty's Australian colonies not only erected Port Phillip into what was now called the colony of Victoria, but also conferred on it a constitution similar to that which had existed for New South Wales since 1842. Moreover, it gave the new colony the power to alter its own constitution.

The Crown nominated the sub-Treasurer or Treasurer to be a member of Lieutenant-Governor La Trobe's Executive Council in 1851. Also, in September, 1853, a Select Committee appointed to consider and report upon the best form of constitution for the Colony, recommended that as well as responsible government along British lines, the Treasurer be included among the responsible officers.

During the existence of the Executive Council between 1851-56, the usual number in the Council was four or five, with the Colonial Treasurer always a member and the holders of the other seats varying. During this period the members of the Executive really formed "the Cabinet". The position of the Treasurer was not fully stabilized until the 29th December, 1854, when he became a member of the Legislative as well as the Executive Council.

In 1851, the revenue of the colony was classed under two heads—the General (derived from taxes, duties and rates), and the Territorial raised from the sale of Crown Lands. All revenue raised from licences in connexion with gold mining was paid into the Territorial revenue. In 1851, the Victorian legislature passed a resolution asking the Home Government for the entire management of all revenues, Territorial as well as General. This involved the demand for fuller powers of self-government. In September, 1852, the proceeds from the gold revenues were handed over to the Lieutenant-Governor and the Legislative Council to be appropriated to meet the increased expenditure in the Civil Service as a result of the increased population during the gold rushes. The Home Government showed prompt and just dealing over the gold revenue and also the Victorian Legislature secured an important constitutional triumph. Since there was no guarantee that gold mining in Victoria would become a permanent source of great wealth to Victoria, control of the revenue derived from Crown lands in Victoria passed into the hands of the Parliament of Victoria with the repeal of the *Waste Lands Act* 1842 and the new Constitution Act of November 1855.

During the period 1851–56 the Treasury underwent internal development. In 1851, the Department consisted of the Colonial Treasurer and eight clerks together with a further two clerks in the Gold Office. By 1853 the staff had increased with sub-treasuries at Geelong and Portland, an Imprest Office, an Assay Master, and also an increase in the staff of the Gold Office. In June, 1854 the Gold Office was transferred to the Chief Commissioner of the Gold Fields, but was transferred back to the Treasury in 1855 and the duties of the Finance Branch of the Commissioners of the Gold Fields were amalgamated with those of the Gold Office.

The period also saw the formation of the Government Printing Office (1851) and the Tender Board (1855). By 1857 the Treasury Office had collectors and pay masters at nine country towns and also a Central Gold Office with Gold Receivers at eight mining centres.

The Treasury Office was now under the control of the Under-Treasurer and its organization had firmed to the main sections dealing with the work of the Collectors and Paymasters, the Gold Office, Stores and Transport, and the Government Printer.

The period 1851 to 1856 also saw various investigations into the activities of the Treasury. In 1857 the Governor appointed a Board to investigate and report upon the mode of conducting business at the Treasury. In the same year there was an inquiry into the Gold Office and in 1853 the Colonial Treasurer submitted a code of regulations for that Office.

In the period following responsible government, the department of the Military was so closely connected with the Treasury's Division of the service, that all applications for authority to incur expenditure out of colonial funds on account of this department or for the payment of colonial allowance to the British troops in the colony were made to the Treasurer.

The Audit Office was so far connected with the Treasury that authorities for payment of the salaries and for the appointment of officers proceeded from the Treasury, and the Commissioners of Audit themselves held office on the same terms as judges, namely, good behaviour. For a short period (1856-7) the Post Office was placed under the Treasurer until it came under a separate ministerial head. At this time the Treasury was divided into three branches, namely, the Accountant's Branch to keep the financial records, the Examination Branch to examine accounts prior to payment, and the Correspondence or Records Branch which not only dealt with correspondence, but also the transaction of the business of the Treasurer in his capacity as ministerial officer. From 1857 the whole organization was presided over by the "Under-Treasurer" who acted as permanent head. In addition to the work described, the Under-Treasurer administered the "Pounds" and the following Licences and collections—Publicans General Licences, Confectioners Licences, Packet Licences (the sale of liquor on vessels), Distillery Licences, District Publican Licences, Refreshment Licences, Auctioneers Licences, Wholesale Spirit Merchants and Brewers Licences, the Fees on Deeds of Crown Lands, the issue of Naturalization Certificates, the payment for Lands open for selection, Departure Licences (fees from occupants of Crown Lands), Assessment of stock (collection of tax), and the administration of the Trust and Sailors Fund. Later, when a branch of the Royal Mint was established, Treasury had an overall administrative interest and provided the money for its operations. Treasury also administered the Curator of Intestate Estates, the predecessor of the office of Public Trustee (*Public Trustee Act 1939*), until 1947, when the office was finally transferred to the Law Department—it was briefly detached to the Law Department from Treasury, between 1939 and 1941.

During 1891 the Premier's Department and Treasury differed over the right to administer the Public Service Act. A Cabinet Committee decided for the Premier's Department in accordance with the principle established in the Order in Council of 1883. In 1894 when the Chief Secretary also assumed the portfolio of Premier, the Premier's Department was abolished and it became the Premier's Office, a branch of the Chief Secretary's Department, and the Public Service Board was also transferred to the Chief Secretary's Department.

In 1917 a Royal Commission into the Public Service recommended that the Premier's Office be transferred to the Treasury and in 1928 the Under-Treasurer also recommended to the Treasurer that the Premier's Office be attached to the Treasury on the grounds that "finance is now so closely interwoven with the more important functions of local government that it seems probable that as a general rule, the Premier will be Treasurer". The transfer was effected from the 1st July, 1928.

In December, 1936, when the Premier became Treasurer (without salary), the Appropriation Act for that year created the Premier's Department for the second time. This upheld the view that an Act of Parliament was not necessary to establish a new Ministerial position. The staff of the Premier's Office and the Office of the Public Service Board were transferred from the Treasury to the Premier's Department.

Today the Central Administration of the Treasury is responsible for the administration of the Annual Appropriation Act, and special or continuing appropriations in particular Acts; Annual Loan Application Acts; Surplus Revenue Acts; *Public Account Act* 1951; Public Account Advances Act; *Audit Act* 1928; Constitution Act; Treasury Overdrafts Act; Commonwealth and States Financial Agreement Act; *Estate Agents Act* 1956; Moneylenders Acts; and Miners' Phthisis (Treasury Allowance) Acts. The Treasury Administration is also concerned with Budget formulation, including the allocation of loan funds; budget control; accounting control; treasury operations generally, and revenue administration. In addition to its function of financial supervision, the Treasury administers a number of Acts which provide for the registration and licensing of real estate and business agents and money lenders. It also controls payments to miners suffering from phthisis, and has an overall administrative control over the Housing Commission. The functions of the six branches of the Treasury—the Taxation Office, the Stamp Duties Office, the Government Printing Office, the Tender Board, the Superannuation Board and Pensions Office, and the Registrar of Co-operative Housing Societies and Co-operative Societies are broadly self evident from their titles.